

Translation

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/FR2004/000023	International filing date (day/month/year) 08.01.2004	Priority date (day/month/year) 09.01.2003	
International Patent Classification (IPC) or national classification and IPC G06F3/12			
Applicant ORANGE FRANCE			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of _____ sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																								
<p>4. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
<input checked="" type="checkbox"/>	Box No. I	Basis of the report																						
<input type="checkbox"/>	Box No. II	Priority																						
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																						
<input type="checkbox"/>	Box No. IV	Lack of unity of invention																						
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																						
<input type="checkbox"/>	Box No. VI	Certain documents cited																						
<input type="checkbox"/>	Box No. VII	Certain defects in the international application																						
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																						

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT / FR2004/000023

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

international search (Rule 12.3 and 23.1(b))
 publication of the international application (Rule 12.4)
 international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

the international application as originally filed/furnished
 the description:
 pages 1-7 _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____

the claims:
 nos. 1-14 _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19
 nos.* _____ received by this Authority on _____
 nos.* _____ received by this Authority on _____

the drawings:
 sheets 1-2 _____ as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (specify): _____
 any table(s) related to sequence listing (specify): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (specify): _____
 any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/000023

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
-----------	---

1. Statement

Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-14	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1. The present notification makes reference to the following documents:

D1: EP 1 215 567 A (CANON KK) 19 June 2002 (2002-06-19)

D2: US 5 706 410 A (BHATTACHARYA PRABAL ET AL) 6 January 1998 (1998-01-06)

2. The present application does not meet the requirements of PCT Article 33(1), since the subject matter of claim 1 does not comply with the criterion of inventive step defined by PCT Article 33(3).

2.1 INDEPENDENT CLAIM 1

Document D1, which is considered the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to said document):

A peripheral device management method ("server... job data", column 16, lines 16-19), characterised

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

in that it comprises the steps of:

- transmitting data ("**printer driver... server**", column 16, lines 5-6) written in a content description language ("**render... NPDL**", column 14, lines 37-38);
- interpreting said data by means of an interpreter software ("**server ... language**", column 15, lines 1-3); a person skilled in the art would recognise that translating content data (NPDL) into a printer command (PDL) on the basis of the selected printer is done by a software; and
- translating the interpreted data into peripheral device control data ("**server ... language**", column 15, lines 1-3); for a person skilled in the art, translating data written in a content description language - NPDL (D1), or data generated by an interpreter software (claim 1) into control data simply amounts to a data conversion process.

Consequently, the subject matter of claim 1 differs from D1 in that:

(i) the data is directly transmitted to the peripheral device; (ii) the interpreting thereof is carried out in the peripheral device and (iii) the data is translated via a control unit within the peripheral device.

With regard to difference (i), transmitting data to the server (D1) or directly to the peripheral

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
-----------	---

device (claim 1) is simply a standard option for a person skilled in the art.

With regard to difference (ii), interpreting data at server level (D1) or at peripheral device level (claim 1) is also a standard option for a person skilled in the art.

With regard to difference (iii), a person skilled in the art is aware that the server of D1 requires a control unit in order to manage at least one connected peripheral device. Since document D1 discloses that a translation from NPDL to PDL takes place ("**server ... language**", column 15, lines 1-3), a person skilled in the art would be aware that the server uses the control unit for this conversion. The use of a control unit hosted in the server (D1) or in the peripheral unit (claim 1) is simply a standard option for a person skilled in the art.

The subject matter of claim 1 does not therefore involve an inventive step.

2.2 INDEPENDENT CLAIM 9

The subject matter of claim 9 corresponds, in terms of the features thereof, to the system of claim 1. The additional feature "networked" is also known from D1 (figure 1). For a person skilled in the art, connecting a peripheral device via a server or directly to the network is a

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	standard option.

The objections relating to claim 1 also apply, mutatis mutandis to claim 9. Therefore, the subject matter of claim 9 does not involve an inventive step.

2.3 DEPENDENT CLAIMS 2-8, 10-14

The dependent claims do not contain any feature which, when combined with the features of any one of the claims to which they refer, complies with the requirements of inventive step of the PCT (PCT Article 33(3)).